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By

Gina M. Catanzaro

Dated: September 23, 2004

Patent

Atty. Docket: G110-040 CON

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : H. ITOH  
Serial No. : 10/803,615  
Filing Date : MARCH 18, 2004  
Examiner : N/A  
Group Art Unit : 1746  
For : UNIT CELL OF FLAT SOLID OXIDE FUEL CELL  
AND FUEL CELL STACK COMPRISING THE SAME

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is submitted:

- [ ] Under 37 C.F.R. 1.129(a), or  
(First/Second Submission after Final Rejection)
- [ x ] Under 37 C.F.R. 1.97(b), or  
(Within any one of the following time periods: three (3) months of filing national application, other than a CPA, or date of entry of the national stage in an international application; or before the mailing date of a first official action on the merits in a non-provisional application, including a CPA; or a Request for Continued Examination (RCE))
- [ ] Under 37 C.F.R. 1.97(c), together with either:
- [ ] Statement under 37 C.F.R. 1.97(e), as checked below, or
- [ ] Fee of \$180.00 under 37 C.F.R. 1.17(p), or  
(After the 37 C.F.R. 1.97(b) time period, but before Final Office Action or Notice of Allowance, whichever issues first)
- [ ] Under 37 C.F.R. 1.97(d), together with:

☐ Statement under 37 C.F.R. 1.97(e), as checked below, and

☐ Fee of \$180.00 under 37 C.F.R. 1.17(p), or  
(Filed after Final Office Action or Notice of Allowance, whichever issues first,  
but on or before payment of Issue Fee)

☐ Under 37 C.F.R. 1.97 (i):

Applicant respectfully requests that the I.D.S. and cited reference(s)  
be placed in the application file wrapper (Filed after payment of Issue Fee).

**Statement Under 37 C.F.R. 1.97(e):**

☐ Each item of information contained in this Information Disclosure  
Statement was first cited in any communication from a foreign Patent  
Office in a counterpart foreign application not more than three (3)  
months prior to the filing of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure  
Statement was cited in a communication from a foreign Patent Office in a  
counterpart foreign application, and, to the knowledge of the  
undersigned, after making reasonable inquiry, no item of information  
contained in the Information Disclosure Statement was known to any  
individual designated in 37 C.F.R. 1.56(c) more than three (3) months  
prior to the filing of this Information Disclosure Statement.

**Statement Under 37 C.F.R. 1.704 (d) - (Patent Term Adjustment):**

(Applies to original applications, other than designs, filed on or after May 29, 2000)

☐ Each item of information contained in the Information Disclosure  
Statement was cited in a communication from a foreign Patent Office in a  
counterpart application and this communication was not received by any  
individual designated in §1.56(c) more than thirty (30) days prior to  
the filing of the Information Disclosure Statement.

**Enclosed Herewith is Form PTO-1449, and:**

☒ Copies of the cited references are enclosed.

☐ Copies of the cited references are enclosed, except those entered in  
prior application, U.S. Serial No. \_\_\_\_\_, to which priority under  
35 U.S.C. 120 is claimed (The earlier application contains copies of the  
cited references).

☐ The listed references were cited in the enclosed International Search  
Report in a counterpart foreign application.

☐ The "concise explanation" requirement (non-English reference) for  
Reference(s) \_\_\_\_\_ under 37 C.F.R. 1.98(a)(3) is satisfied by:

- ☐ the explanation provided on the attached sheet;
- ☐ the explanation provided in the specification;
- ☐ submission of the enclosed International Search Report; or
- ☐ the enclosed English language Abstract.

☐ Applicant requests that the following pending applications be  
considered:

U.S. Patent/Application No. \_\_\_\_\_, filed/issued \_\_\_\_\_  
U.S. Patent/Application No. \_\_\_\_\_, filed/issued \_\_\_\_\_  
U.S. Patent/Application No. \_\_\_\_\_, filed/issued \_\_\_\_\_

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application Serial No. \_\_\_\_\_, to which priority under 35 U.S.C. 120 is claimed.

The Examiner is respectfully requested to return a copy of the above list of pending applications indicating which references were considered with the next Official Action.

Further, it is respectfully requested that the information disclosed herein be made of record in this application.

**Method of Payment:**

- ☐ A check for the fee noted above is enclosed.
- ☐ Please charge our deposit account No. 14-1431.
- ☒ The Commissioner is authorized to charge any deficiency in payment of fees and credit any overpayment to our Deposit Account No. 14-1431.

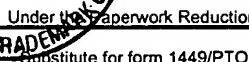
Respectfully submitted,



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Dated: September 23, 2004

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*(Use as many sheets as necessary)*

Sheet	1	of	1
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Application Number	10/803,615
Filing Date	March 18, 2004
First Named Inventor	H. Itoh
Art Unit	1746
Examiner Name	N/A
Attorney Docket Number	G110-040 CON

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		EP 0 756 347	01-29-1997	NIPPON TELE...		
		EP 0 442 743	08-21-1991	NGK INSULATORS		
		WO 98/46540	10-22-1998	NORSK HYDRO ASA		
		JP 5-166518	07-02-1993	NGK INSULATORS		✓

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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